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US EPA RECORDS CENTER REGION 5



426545

January 12, 2012

Michelle Kerr
US EPA Region 5 Superfund Division
Remedial Project Manager
77 W. Jackson Blvd. SRF 6J
Chicago, IL 60604-3590

**Re: Chemetco NPL Site
Response of Metalstamp, Inc., an Illinois Corporation
to EPA's Request to Indicate Willingness to Participate in Future Negotiations**

Dear Ms. Kerr:

On or about November 30, 2011, USEPA issued a General Notice Letter ("GNL") to Michael H. Lurie as agent for Metalstamp, Inc., an Illinois corporation located in Channahon, Illinois ("Metalstamp"), with regard to the Chemetco site in Hartford, Illinois ("Site"). The undersigned and Seyfarth Shaw LLP were retained to represent Metalstamp in this matter and on its behalf we attended the December 20, 2011 informational meeting held at EPA's offices. During that meeting, EPA extended until January 17, 2011 the date by which a recipient of the GNL is to notify EPA of its interest in participating in future negotiations. At that meeting EPA also committed to providing to interested recipients a DVD of documents and other information that might demonstrate a company's nexus to the Site and bear on its liability. Our understanding is that the requested DVD will be provided in mid-January.

Metalstamp is looking forward to reviewing the nexus information. While Metalstamp, Inc. (Illinois) apparently did have certain dealings with the Chicago warehouse of Chemetco, it believes the volume would have been such that it would be substantially under the threshold EPA has used to designate companies as GNL recipients at this time.

Although Metalstamp believes that it is not properly designated as a company of sufficient volume to warrant being included in the GNL, and while it believes that it has statutory defenses to liability in any event, it nonetheless is willing to consider any resolution that minimizes transaction costs, including a possible interim or final settlement with EPA as part of a Group settlement, or a



de minimis settlement.¹ To that end, we anticipate that once the DVD is made available, the PRPs will communicate among themselves and, hopefully, by early February be in a position to better advise EPA as to whether collective negotiations would be productive.

Please direct future correspondence in this matter to the undersigned, as counsel for Metalstamp, Inc. (Illinois).

Sincerely,

SEYFARTH SHAW LLP



Andrew H. Perellis

AHP:ls

cc: Thomas A. Skibinski
Thomas Martin
Margaret Herring

¹ As suggested in the GNL, Margaret Herring is being notified by this letter that Metalstamp (Illinois) may be eligible for a de minimis settlement at this Site.